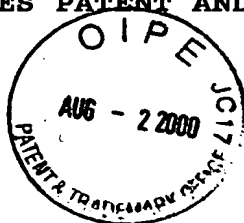


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILE COPY



In re Application of:

Ralf ZINK et al.

Application No.: 09/559,355

Group Art Unit:

Filed: April 27, 2000

Examiner:

For: ENHANCED GROWTH OF LACTIC
ACID BACTERIA IN MILK

Attorney Docket No.
8265-320

REQUEST FOR CORRECTION OF FILING RECEIPT

Office of Initial Patent Examination
Customer Service Center
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant has received a filing receipt for the above-identified application and respectfully requests the following correction:

Change the spelling of the city of residence of the fourth named applicant, Lorenzo Morelli, to
--Piacenza--.

A copy of the filing receipt with the requested change marked thereon is attached, along with a copy of the Declaration and Power of Attorney in support of this request.

No fee is believed to be due for this submission. Should any fees be required, however, please charge such fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date

8/2/00

Allan A. Fanucci, Reg. No. 30,256

PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, D.C. 20006

(202) 496-4400

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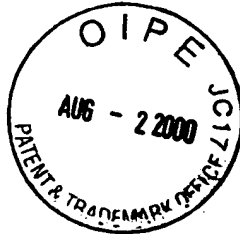
FILING RECEIPT

OC000000005263192

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**Address: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/559,355	04/27/2000	1761	820	8265-320	2	17	3

20582
 PENNIE & EDMONDS LLP
 1667 K STREET NW
 SUITE 1000
 WASHINGTON, DC 20006



Date Mailed: 07/24/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ralf Zink, Le Mont Pelerin, SWITZERLAND;
 Marina Elli, Lausanne, SWITZERLAND;
 Roberto Reniero, Le Mont Pelerin, SWITZERLAND;
 Lorenzo Morelli, Piacenza, ITALY;
 Piacenza

Continuing Data as Claimed by Applicant**Foreign Applications**

EUROPEAN PATENT OFFICE (EPO) 99 108 717.2 04/30/1999

If Required, Foreign Filing License Granted 07/11/2000

Title

Enhanced growth of lactic acid bacteria in milk

Preliminary Class

426

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DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

ENHANCED GROWTH OF LACTIC ACID BACTERIA IN MILK

and for which a patent application is attached hereto and is identified as PENNIE & EDMONDS LLP Docket No. 8265-320-999.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
99 108 717.2	EPO	30 April 1999	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

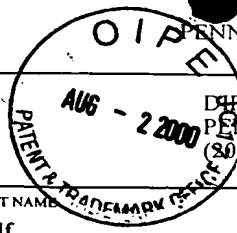
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), William S. Galliani (Reg. No. 33885), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), and Alan Tenenbaum (Reg. No. 34939), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: PENNIE & EDMONDS LLP
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Washington, D.C. 20006

DIRECT TELEPHONE CALLS TO:
PENNIE & EDMONDS LLP DOCKETING
(802) 496-4721



201	FULL NAME OF INVENTOR	LAST NAME ZINK	FIRST NAME Ralf	MIDDLE NAME	
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	POST OFFICE ADDRESS	STREET Chemin Maison Jean 36	CITY Le Mont Pelerin	STATE OR COUNTRY Switzerland	ZIP CODE 1801
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204	FULL NAME OF INVENTOR	LAST NAME MORELLI	FIRST NAME Lorenzo	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Piacenza	STATE OR FOREIGN COUNTRY Italy	COUNTRY OF CITIZENSHIP Italy	
	POST OFFICE ADDRESS	STREET 2, Via Cittadella	CITY Piacenza	STATE OR COUNTRY Italy	ZIP CODE 29100
205	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF RALF ZINK <i>Ralf Zink</i>	SIGNATURE OF MARINA ELLI <i>Marina Elli</i>	SIGNATURE OF ROBERTO RENIERO <i>Roberto Reniero</i>
DATE <i>22.05.00</i>	DATE <i>23.06.00</i>	DATE <i>22/5/2000</i>
SIGNATURE OF LORENZO MORELLI <i>Lorenzo Morelli</i>	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE <i>23/06/2000</i>	DATE	DATE

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Bib Data Sheet

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER 09/559,355	FILING DATE 04/27/2000 RULE -	CLASS 426	GROUP ART UNIT 1761	ATTORNEY DOCKET NO. 8265-320
APPLICANTS Ralf Zink, Le Mont Pelerin, SWITZERLAND; Marina Elli, Lausanne, SWITZERLAND; Roberto Reniero, Le Mont Pelerin, SWITZERLAND; Lorenzo Morelli, Piacenza, ITALY;				
** CONTINUING DATA ***** ** FOREIGN APPLICATIONS ***** EUROPEAN PATENT OFFICE (EPO) 99 108 717.2 04/30/1999				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 07/11/2000 -				
Foreign Priority claimed <input checked="" type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions met <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance		STATE OR COUNTRY SWITZERLAND	SHEETS DRAWING 2	TOTAL CLAIMS 17
Verified and Acknowledged Examiner's Signature _____ Initials _____			INDEPENDENT CLAIMS 3	
ADDRESS 20582				
TITLE Enhanced growth of lactic acid bacteria in milk				
FILING FEE RECEIVED 820	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	

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